

Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 ISO-00 SOE-02 ACDA-12
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FM AMEMBASSY CARACAS
TO SECSTATE WASHDC 644
INFO AMEMBASSY MEXICO
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C O N F I D E N T I A L CARACAS 0209

E.O. 11652: GDS
TAG: IAEA, TECH, MNUC, PARM, VE, US
SUBJECT: VENEZUELA'S IAEA NPT SAFEGUARDS AGREEMENT
AND REQUEST FOR NUCLEAR MATERIAL

REF: STATE 310180

1. THE AMBASSADOR CALLED ON FOREIGN MINISTER SIMON ALBERTO CONSALVI JANUARY 3 AND ADVISED HIM THAT THE U.S. IS PREPARED TO PROVIDE A GIFT OF URANIUM PER PARA 3 OF REFTEL. HE ALSO EXPLAINED US CONCERN THAT VENEZUELA HAS NOT YET FULFILLED ITS OBLIGATIONS UNDER THE NPT TO CONCLUDE A SAFEGUARDS AGREEMENT, URGED EARLY COMPLETION OF THESE NEGOTIATIONS, AND NOTED THAT THE STATUS OF THIS AGREEMENT WOULD BE TAKEN INTO ACCOUNT WHEN THE NUCLEAR REGULATORY COMMISSION REVIEWS THE REQUIRED EXPORT LICENSE PER PARA 4. THESE SAME POINTS WERE SET FORTH IN AN AIDE MEMOIRE WHICH THE AMBASSADOR LEFT WITH CONSLAVI. THE FOREIGN MINISTER EXPRESSED HIS APPRECIATION FOR THE US GIFT OFFER BUT APPEARED SURPRISED AT THE REPORTED LACK OF PROGRESS ON THE SAFEGUARDS AGREEMENT. HE SAID HE WOULD CHECK ON THIS AND ADVISE US SHORTLY.

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2. EMBASSY SCIENCE OFFICER SUBSEQUENTLY ADVISED ADMIRAL JESUS TABORDA OF THE NATIONAL NUCLEAR COUNCIL (CONAN) OF THESE SAME POINTS AND PROVIDED HIM A COPY OF THE AIDE MEMOIRE. CENTERING HIS ATTENTION ON THE LINK BETWEEN NRC APPROVAL AND THE NPT SAFEGUARDS AGREEMENT, TABORDA SAID HE WILL INTERPRET THIS AS MEANING THE NRC WILL TAKE INTO ACCOUNT THE STATUS OF THE NEGOTIATIONS OF THIS AGREE-

MENT AND WILL NOT NECESSARILY INSIST THAT THE AGREEMENT BE SIGNED BEFORE THE LICENSE IS ISSUED. HE EXPLAINED THAT THERE ARE CERTAIN LEGAL REQUIREMENTS WHICH MUST BE MET BEFORE ANY SUCH AGREEMENT, PARTICULARLY ONE AS SENSITIVE AS THIS, CAN BE APPROVED AND SIGNED. SPECIFICALLY, HE SAID THE REPORT PREPARED BY THE THREE LAWYERS WHO MET WITH THE IAEA IN OCTOBER MUST BE REVIEWED BY THE MINISTRIES OF FOREIGN AFFAIRS, DEFENSE, ENERGY, AND FINANCE, AS WELL AS THE CENTRAL OFFICE OF COORDINATION AND PLANNING AND CONAN, BEFORE A NEGOTIATING POSITION CAN BE PREPARED. HE MAINTAINED THAT THIS PROCESS WILL TAKE TIME AND INDICATED THAT IT WAS HIGHLY UNLIKELY THAT NEGOTIA-

TIONS COULD BE COMPLETED IN THE NEAR FUTURE.

3. TABORDA ALSO COMMENTED THAT WHILE THE GOV PREFERRED TO OBTAIN THE REQUIRED URANIUM FROM THE US BECAUSE OF ITS LONGSTANDING TIES WITH THE US IN THIS FIELD E.G. THE RESEARCH REACTOR AND THE ORIGINAL FUEL CAME FROM THE US AND VENEZUELA'S CONTINUING BILATERAL COOPERATION AGREEMENTS WITH THE US, THE GOV HAS ALSO RECEIVED ATTRACTIVE OFFERS FROM OTHER COUNTRIES, INCLUDING THE UK, FRANCE AND THE SOVIET UNION, TO SUPPLY THIS FUEL. HE WENT ON TO SAY THAT HE FOUND IT HARD TO UNDERSTAND WHY THE US IS ATTEMPTING TO PRESSURE VENEZUELA IN A CASE INVOLVING SUCH A SMALL AMOUNT OF FUEL AFTER PRESIDENT PEREZ HAS GONE OUT HIS WAY TO SUPPORT THE US ON THE NONPROLIFERATION ISSUE AND IN THE PROCESS HAS PLACED HIMSELF IN AN UNCOMFORTABLE POSITION BOTH WITH NEIGHBORING COUNTRIES, E.G. BRAZIL, AND WITH MANY IN HIS OWN COUNTRY AND IN HIS OWN POLITICAL PARTY. CONFIDENTIAL

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FINALLY, TABORDA SAID HE WAS PARTICULARLY DISTURBED BY THIS THREAT IN VIEW OF THE GOV'S BILATERAL AGREEMENTS WITH THE US, ITS TRILATERAL SAFEGUARDS AGREEMENT WITH THE IAEA AND THE US, AND ITS PRIOR WILLINGNESS TO COMPLY WITH ALL OF THE EARLIER CONDITIONS SET FORTH BY THE US.

4. COMMENT. TABORDA WAS CLEARLY UPSET BY WHAT HE VIEWED AS A THREAT TO WITHHOLD NOT ONLY THE GIFT OFFER BUT ALSO TO DENY THE SUPPLY OF THE URANIUM ITSELF. IN THIS REGARD WE WISH TO POINT OUT WHAT MAY BE SEEN HERE AS AN ANOMALY IN US POLICY IF IN FACT THE NRC REFUSES AN EXPORT LICENSE IN THIS CASE BECAUSE (1) FUEL WAS REQUESTED AS A GIFT WHICH IS LIMITED TO NPT PARTIES AND (2) THE REQUESTOR HAS NOT FULLY COMPLIED WITH ITS NPT OBLIGATION, WHILE AT THE SAME TIME EXPORTS OF FUEL, ALBEIT NOT AS A GIFT, ARE APPROVED TO COUNTRIES WHICH ARE NOT NPT PARTIES. WHEN WE MET WITH TABORDA, HE COMMENTED ON PRESS REPORTS THAT SAME DAY RE PRESIDENT

CARTER'S REPORTED REMARKS IN INDIA ON THE SUPPLYING OF NUCLEAR FUEL; A FEW DAYS LATER THE PRESS ALSO REPORTED THE US WOULD PROVIDE FUEL TO FRANCE. VAKY

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